### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 38331-0003

In re patent application of

Akira TSUBOKURA et al

Confirmation No.:

Serial No.: To be Assigned

Group Art Unit: Unassigned

Filed: February 11, 2002

Examiner: Unassigned

For:

PROCESS OF PRODUCING CAROTENOID PIGMENTS

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56 and 37 CFR §1.97

**Commissioner for Patents** Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

#### <u>RELEVANCE</u>

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

JE12 Paged FCTAPTO 1 1 FEB 2002 38331-0003

## **STATEMENT**

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(2) that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56© more than three (3) months prior to the filing of this Information Disclosure Statement.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Date: February 11, 2002

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Respectfully submitted

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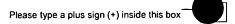
Attorney for Applicant Registration No. 36,614

Customer No. 26633

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PTO/SB/08A (08-00)

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Substitut	e for form 1449A/PTC	)		Complete if Known		
				Application Number	Not yet assigned	
INFO	PRMATION	DIS	CLOSURE	Filing Date	February 11, 2002	
STA	TEMENT B	Y A	PPLICANT	First Named Inventor	Akira TSUBOKURA et al.	
				Group Art Unit	Unassigned	
_	(use as many she	ets as	necessary)	Examiner Name	Unassigned	
Sheet	1	of	2	Attorney Docket Number	38331-0003	

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No.'	U.S. Pa	atent Document	Name of Patentee or Applicant	Date of Publication of	Pages, Columns, Lines, Where Relevan
		Number Kind Code <sup>2</sup> (if known)		of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document			Name of Patentee or	Date of Publication	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>		ind Code⁵ if known)	Applicant of Cited Document	of Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sub>6</sub>
	A01	EP	0 635 576	B1	Nippon Mitsubishi Oil Corporation.	8/30/00		
	A02	JP	8-9964	Α	Nippon Oil Co. Ltd.	1/16/96		
	A03	JP	5-68585	Α	Higashimaru Shoyu KK	3/23/93		
	A04	wo	88/08025	A1	Fleno et al.	10/20/88		

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Examiner Signature		Date Considered	

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark hee if English language Translation is attached.



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Substitute for form 1449A/PTO Compl te if Known **Application Number** Not yet assigned INFORMATION DISCLOSURE February 11, 2002 Filing Date STATEMENT BY APPLICANT First Named Inventor Akira TSUBOKURA et al. Group Art Unit Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned of 38331-0003 Sheet Attorney Docket Number

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
	A05	ANTON HARTMANN et al., "Effect of Carotenoid Overproduction on Oxygen Tolerance of Nitrogen Fixation in Azospirillum brasilense Sp7", Journal of General Microbiology, 1988, pp. 2449-2455, Vol. 134			
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Examiner	 Date	
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